



Mary Lou Johnson, *Chair*  
Kevin Chase, *Vice-Chair*  
Rick Biasotti  
Perry Petersen  
Joe Sammut  
Sujendra Mishra  
Bob Marshall, Jr

**MINUTES  
PLANNING COMMISSION MEETING**

**May 19, 2009**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:02 pm.**

**ROLL CALL**

	<u><b>Present</b></u>	<u><b>Absent</b></u>
Chair Johnson	X	
Vice Chair Chase	X	
Commissioner Biasotti	X	
Commissioner Marshall		X
Commissioner Mishra	X	
Commissioner Petersen	X	
Commissioner Sammut	X	

**STAFF PRESENT:**

Planning Division: Community Development Director: Aaron Akin  
Associate Planner: Laura Russell  
Assistant Planner: Matt Neuebaumer  
City Attorney: Pamela Thompson

Pledge of Allegiance: Commissioner Petersen

- 1. Approval of Minutes – April 21, 2009**  
**Motion to Approve Minutes of April 21, 2009 Planning Commission meeting**  
**Commissioner Petersen/ Mishra**  
VOTE: 6-0  
AYES: All Commissioners present.  
NOES: None  
ABSTAIN: None
- 2. Communication**  
E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)
- 3. Public Comment On Items Not on Agenda - None**

**4. Announcement of Conflict of Interest - None**

**5. Public Hearings**

**A. 917 Masson Avenue**

**Request for a Use Permit to legalize un-permitted construction that would result in an overall FAR above the .55 guideline (.80), exceeds the 44% lot coverage requirement (57%), and exceeds 2,800 square feet of living space (3,450 s.f.) without providing a third covered parking space per Section 12.200.030.B.2, 12.200.030.B.3., and 12.200.080.A.3. of the San Bruno Zoning Ordinance. Ahmed Khan (Applicant & Owner) UP-08-026.**

Staff recommends that the Planning Commission Continue Use Permit 08-026 to a future Planning Commission public hearing because the applicant would like to make changes to the plans.

*Chair Johnson* asked Commission if there were any questions for staff.

None at this time.

Public Comment Opened.

None.

Public Comment Closed.

**Motion to Continue Use Permit UP-08-026 to a future meeting.  
Commissioner Petersen/ Biasotti**

VOTE: 6-0

AYES: All Commissioners present

NOES: None

ABSTAIN: None

**B. 232 Elm Avenue**

**Request for a Use Permit to allow the construction of an addition that would result in a floor area above the .55 guideline (.60), enlarge the parking area to over 600 s.f. (1,071 s.f.), and a Minor Modification to allow a side setback of less than 5' (3'-8") per Sections 12.200.030.B.2, 12.200.080.B, and 12.120.010.A of the San Bruno Municipal Code. David Perez (Applicant) David and Valerie Ballestrasse (Owners) UP09-002; MM09-001.**

*Associate Planner Russell* entered staff report.

Staff recommends that the Planning Commission approve Use Permit 09-002 and Minor Modification 09-001 based on Findings of Fact 1-8 and Conditions of Approval (1-25).

*Chair Johnson:* asked Commission if there were any questions for staff.

None at this time.

Public Comment opened.

*David Perez; Applicant:* I have a new color rendering that balances the color on the existing house and new garage.

Commissioner Mishra: Where would the cable trellis be located?

Applicant Perez: at the rear of the property on the back of the house. Vines will be able to grow vertically.

Commissioner Mishra: Sometimes they can be a problem with children climbing them. If they are in the back, that's okay.

David Ballestrasse; Homeowner: I appreciate your consideration of this project.

Public Comment closed.

**Motion to approve Use Permit 09-002 and Minor Modification 09-001 based on Findings of Fact 1-8 and Conditions of Approval (1-25).**

**Commissioner Chase/ Sammut**

VOTE: 6-0

AYES: All Commissioners present

NOES: None

ABSTAIN: None

Chair Johnson advised of a 10-day appeal period.

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
3. The proposed development will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed architectural design with staffs recommended revisions will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood with staff's recommendations.
6. The proposed project complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That the general appearance of the proposed building or structure, or modification, thereof, is in keeping with the character of the neighborhood.

8. That the minor modification will not be detrimental to adjacent real property.

## **CONDITIONS OF APPROVAL**

### **Community Development Department - (650) 616-7042**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 09-002 and Minor Modification 09-002 shall not be valid for any purpose. Use Permit 09-002 and Minor Modification 09-002 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit and Minor Modification for an addition shall be built according to plans approved by the Planning Commission on May 19, 2009, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
9. In the landscaping area between the new driveway and walkway, plants with height shall be specified in the Building Division set of plans to compensate for the slope.
10. The homeowner shall comply with Section 12.100.055 related to vehicle repair at residential properties. No vehicle repair shall be conducted as part of a business operation for any compensation in any form.

**Department of Public Works - (650) 616-7065**

11. Please note that the front property line is located two (2.0) feet behind the sidewalk along Elm Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within two (2.0) feet from back of sidewalk. S.B.M.C. 8.08.01 0.
12. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.01 0.
13. Any damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all sidewalk sections at the frontage of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
14. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Elm Avenue. S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
15. If not present, install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
16. Paint address number on face of curb near driveway approach. Black lettering on white background.
17. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
18. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 11 01.I.
19. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1 % or more. All paved areas shall be graded to slope at 0.5% or more.
20. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.161.020
21. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.02011 10

**Fire Department- (650) 616-7096**

22. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
23. Provide hard-wired smoke alarms with battery backup as required by building code.

24. Provide flame arrester for chimney if not currently in place.
25. Fire sprinklers required for new garage. Permit and application shall be separate from building permit. A domestic sprinkler system may be used if coverage can be demonstrated with less than 10 heads. Apply for permit for system, including calculations. Upgrade of domestic water system requires both encroachment permit and Water Department approval prior to Fire Department approval.

**C. 2101 Sneath Lane**

**Request for a Conditional Use Permit to construct a wireless telecommunications facility within a residential zoning district and use permit to exceed the height limits for the district in which it is located per Sections 12.220 and 12.84.160 of the San Bruno Zoning Ordinance. Verizon Wireless (Applicant), San Bruno Park School District (Owner) UP-08-025.**

*Assistant Planner Neuebaumer:* Staff identified some inconsistencies on the plans and recommends that the item be continued to a future meeting.

*Chair Johnson:* Asked Commission if there were any questions for staff.

None at this time.

Public Comment Open.

*Dan O'Kane:* Where is the project?

*CD Director Akin:* At San Bruno Golf Range, mounted against a pole.

*Dan O'Kane:* What if there is damage from the golf balls?

*CD Director Akin:* It would be the responsibility of Verizon to fix any damage.

*Dan O'Kane:* Will it be the same height as the pole?

*CD Director Akin:* It would not exceed the height of the existing pole.

*Dan O'Kane:* I am also concerned with the possible health risks.

*Chair Johnson:* These facilities are well researched. They have to meet federal regulations.

*Hany Farhag; Resident of Quail Point:* I would like to get a number of points on record for you to consider when you make this decision:

- In regards to the Environmental Assessment- an "expansion" of the existing use is if the use is the same as the existing facility. In this case, it cannot be classified this way, as an expansion of the existing use.
- Electromagnetic Interference- this says that a report has been submitted. It would be nice if it were available.
- How long will the lease be? If it is a long-term lease, people should be able to judge if this is best activity at this site. If the lease is long-term, that would limit future uses. We need to know the life span.

- This is an un-manned facility. The fence doesn't preclude people from going there. There is a camera on the top of the pole. If it is used for security, it needs a light.
- It will need a stand-by power supply. The plans don't give the capacity. The generator should be under ground. Fuel tank should have double containment. Who will test it?

*Commissioner Biasotti:* Staff, can you remind us what we are allowed review.

*CD Director Akin:* We are not allowed to look at health impacts from emission frequencies as long as the required EMF Report states that the project will meet Federal Regulations. We strictly review land use implications and aesthetics.

Public Comment Closed.

**Motion to continue UP 09-025 to a future Planning Commission meeting.  
Commissioner Petersen/ Biasotti**

VOTE: 6-0

AYES: All Commissioners Present

NOES: None

ABSTAIN: None

**D. Ordinance amending Chapter 12.220 regulating Wireless Telecommunications Facilities**

CD Director Akin entered staff report. A revision to the proposed ordinance was distributed for the Commission's review. There are minor differences between the definitions in state and local regulations that will need to be clarified.

Staff recommends that the Planning Commission adopt Resolution No. 2009-5 recommending that the City Council amend Chapter 12.200 of the San Bruno Municipal Code regulating Wireless Telecommunications Facilities based on Findings of Fact 1-3 **with the addition that staff will review the ordinance language and reconcile any differences between State and City definitions.**

*Chair Johnson:* asked Commission if there were any questions for staff.

*Commissioner Chase:* What are the boundaries of "co-location"? Different sides of the same site?

*CD Director Akin:* Must be part of the same tower. New equipment must still be consistent with a previous discretionary permit.

*Commissioner Chase:* So a new pole would come before Planning Commission. If there is an existing pole, they can add more equipment and not go to Planning Commission?

*CD Director Akin:* Correct, they would only need a building permit.

Public Comment Opened.

None.

Public Comment Closed.

**Motion to adopt Resolution No. 2009-5 recommending that the City Council amend Chapter 12.200 of the San Bruno Municipal Code regulating Wireless Telecommunications Facilities based on Findings of Fact 1-3 with the addition that staff will review the ordinance language and reconcile any differences between State and City definitions.**

**Commissioner Petersen/ Mishra**

ROLE CALL VOTE: 6-0

AYES: Chair Johnson, Vice Chair Chase, Commissioners Biasotti, Petersen, Sammut, and Mishra.

NOES: None

ABSTAIN: None

## **6. Discussion**

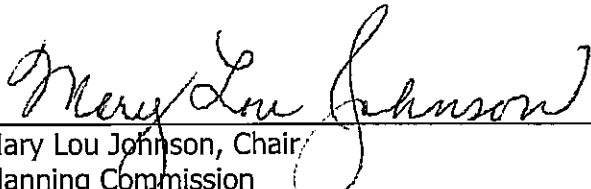
- A. City Staff Discussion: Commissioners Biasotti, Johnson, and Mishra volunteered for the June 11, 2009 Architectural Review Committee meeting. Commissioner Chase for back up.

CD Director Aknin noted that Shauna Williams is on maternity leave and expecting her baby shortly.

- B. None.

## **7. Adjournment-** Meeting was adjourned at 7:35 pm

  
\_\_\_\_\_  
Aaron Aknin  
Secretary to the Planning Commission  
City of San Bruno

  
\_\_\_\_\_  
Mary Lou Johnson, Chair  
Planning Commission  
City of San Bruno

NEXT MEETING: June 16, 2009